

## 48A C.J.S. Judges § 55

Corpus Juris Secundum | August 2023 Update

### Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

### III. Term and Tenure of Office; Vacancy

#### C. Commencement of Term

### § 55. Generally

[Topic Summary](#) | [References](#) | [Correlation Table](#)

#### West's Key Number Digest

West's Key Number Digest, [Judges](#) 7

### A judge's term of office begins at the time fixed by applicable constitutional or statutory provision.

The time when a judge's term of office begins is that fixed by the constitution<sup>1</sup> or statute<sup>2</sup> in force at the time of his or her selection.<sup>3</sup> In the absence of conflict with constitutional provisions, the legislature may prescribe the period of commencement.<sup>4</sup> A newly elected judge may not begin his or her term before the official commencement date.<sup>5</sup>

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#### Footnotes

1 Pa.—[Reed v. Sloan](#), 25 Pa. Commw. 570, 360 A.2d 767 (1976), judgment aff'd, 475 Pa. 570, 381 A.2d 421 (1977).

As to date of commencement of the term of public officers, see [C.J.S., Officers and Public Employees](#) § 143.

2 Pa.—[Reed v. Sloan](#), 25 Pa. Commw. 570, 360 A.2d 767 (1976), judgment aff'd, 475 Pa. 570, 381 A.2d 421 (1977).

3 Neb.—[Garrotto v. McManus](#), 185 Neb. 644, 177 N.W.2d 570 (1970).

4 Ind.—[State ex rel. Middleton v. Scott Circuit Court of Scott County](#), 214 Ind. 643, 17 N.E.2d 464 (1938).

#### Different days for different judges proper

Ohio—[State ex rel. Gustafson v. Krause](#), 131 Ohio St. 97, 5 Ohio Op. 442, 1 N.E.2d 937 (1936).

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